

HCS SB 727 -- FARMERS' MARKETS

(Vetoed by the Governor--
Overridden by the General Assembly)

This bill authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market. This exemption does not apply to any person or entity with an estimated total annual sales of \$25,000 or more from participation in farmers' markets.

The bill requires the Department of Social Services to establish, subject to federal approval, a pilot program in at least one rural and one urban area to provide Supplemental Nutrition Assistance Program (SNAP) participants with access and the ability to purchase specified fresh foods at a participating farmers' market or vending urban agricultural zone. A participant must be able to purchase the fresh food with SNAP benefits with an electronic benefit transfer (EBT) card and receive a dollar-for-dollar match for every SNAP dollar spent in an amount up to \$10 per week. Purchases of approved fresh food must automatically trigger matching funds reimbursement into the central farmers' market vendor accounts by the department. The funding of the program is subject to appropriation, and the department may apply for available grants and must be able to accept donations to develop and maintain the program.

The bill allows an individual who has pled guilty or nolo contendere to or is found guilty under federal or state law of a felony involving the possession or use of a controlled substance an exemption from the prohibition against eligibility for food stamp program benefits under the federal Personal Responsibility and Work Opportunity Act of 1996 if the individual, as determined by the Department of Social Services, is currently successfully participating in a substance abuse treatment program approved by the Division of Alcohol and Drug Abuse within the Department of Mental Health, is currently accepted for treatment in a division-approved program but is on a waiting list for treatment and enrolls and enters the program at the first available opportunity, has satisfactorily completed a division-approved substance abuse treatment program, or is determined by a division-certified treatment provider not to need substance abuse treatment; is successfully complying or has already complied with all obligations imposed by the court, the Division of Alcohol and Drug Abuse, and the Division of Probation and Parole; does not plead guilty or nolo contendere to or is not found guilty of an additional controlled substance offense after release from custody or, if not committed to custody, the person does not plead guilty or nolo contendere to or is not found guilty of an additional

controlled substance offense within one year after the date of conviction; and has demonstrated sobriety through voluntary urinalysis testing paid for by the participant. The person must meet all other factors for food stamp program eligibility. The exemption must not apply to an individual who has pled guilty to or is found guilty of two subsequent controlled substance felony offenses after the date of the first felony controlled substance conviction.

The provisions of the bill regarding the pilot program allowing public assistance recipients to purchase products at farmers' markets will expire six years after the effective date.